



HON. SYLVIA O. HINDS-RADIX
Corporation Counsel

THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NEW YORK 10007

MARY K. SHERWOOD
Assistant Corporation Counsel
msherwoo@law.nyc.gov
Phone: (212) 356-2425
Fax: (212) 356-1148

July 21, 2023

VIA ECF

Honorable Vera M. Scanlon
United States Magistrate Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Valentine v. City of New York et al., 21-CV-4867 (EK) (VMS)

Your Honor:

I am an Assistant Corporation Counsel in the Office of the Honorable Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York, attorney assigned to the defense in the above-referenced matter. The Parties write to respectfully request an extension of the Court Order ordering them to respond to each other's document requests and interrogatories until August 11, 2023 for the reasons stated herein. This request does not cover the "relevant discovery" that is the subject of Defendants' pending Rule 72 appeal. In other words, if the Court grants this application, it will not impact the timetable by which Defendants would need to produce that "relevant discovery."

By way of background, on May 21, 2023, the Court ordered a scheduling order that included Plaintiff and Defendants responding to each other's document requests and interrogatories by July 21, 2023.

An enlargement of time is requested for two reasons. First, Defendants served a Rule 68 Offer on July 13, 2023 and Plaintiff is currently considering the offer. Plaintiff's counsel would prefer not to spend additional time litigating as the Rule 68 offer is pending. Second, undersigned is scheduled to be on trial beginning on July 31, 2023 before the Honorable Nicholas G. Garaufis in the matter of *Herrera-Amador v. City of New York et al.*, 16-cv-05915 (NGG) (VMS). Therefore, the three-week extension would likely allow for Defendants to complete the trial and the responses.

Accordingly, the Parties respectfully request that the Court extend the deadline for the Parties to answer each other's document requests and interrogatories until August 11, 2023. Thank you for your consideration herein.

Respectfully submitted,

Mary K. Sherwood

Mary K. Sherwood
Assistant Corporation Counsel
Special Federal Litigation Division

Cc: All Counsel of Record (via ECF)